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PATENT
Customer No. 22,852
Attorney Docket No. 08505.0007-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Andrew John THOMAS)	Group Art Unit: 3711
)	
Application No.: 10/611,861)	Examiner: S. Wong
)	
Filed: July 3, 2003)	Confirmation No: 3836
)	
For: BALL)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO OFFICE ACTION DATED APRIL 6, 2004

Applicant respectfully requests reconsideration of the application and withdrawal of the claim rejections in view of the following remarks. Claims 19-34 and 36 are pending.

Initially, Applicant would like to thank the Examiner for the courtesy extended to Applicant's undersigned attorney at the interview on May 19, 2004. During the interview, the following matters were discussed.

In the Office Action, claims 19-33 and 36 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 4,874,169 to Litchfield. In Fig. 5, Litchfield discloses a ball having first and second hemispheres with a boundary line between the hemispheres. The first hemisphere is coated with plastic, and the second hemisphere has the rough texture of a tennis ball surface. See Litchfield, col. 3, ll. 55-62.

As explained during the interview, Litchfield does not teach or suggest a ball comprising, *inter alia*, "a seam located entirely on the smooth portion, the seam including a plurality of rows of imitation stitches on the surface of the smooth portion," as recited in claim 19. As noted in the specification, the seam includes all of the rows of imitation stitches. See Application at 5. It would not have been obvious to modify Griffen to provide the claimed seam including all of the rows of imitation stitches entirely on the smooth portion. For at least this reason, Applicant respectfully requests that the Examiner withdraw the rejection of claim 19.

Claims 20-33 and 36 depend from claim 19 and, therefore, are allowable for at least the same reasons as claim 19.

Claim 34 was rejected under 35 U.S.C. § 103 as being unpatentable over Litchfield in view of U.S. Patent No. 6,261,197 to Grechko. Claim 34 depends from claim 19 and, therefore, is allowable for at least the same reasons as claim 19.

Claims 19-24, 26-34, and 36 were rejected under 35 U.S.C. § 103 as being unpatentable over Great Britain Patent Application No. 2,314,778 of Griffin. The Griffin reference discloses a sports training ball having two hemispheres, wherein one hemisphere has a higher coefficient of drag than the other.

As discussed at the interview, Griffen does not teach or suggest a ball comprising, *inter alia*, "a seam located entirely on the smooth portion, the seam including a plurality of rows of imitation stitches on the surface of the smooth portion," as recited in claim 19. Moreover, it would not have been obvious to modify Griffen to provide the claimed seam including all of the rows of imitation stitches entirely on the

smooth portion. For at least this reason, Applicant respectfully requests that the Examiner withdraw the rejection of claim 19.

Claims 20-24, 26-34, and 36 depend from claim 19 and, therefore, are allowable for at least the same reasons as claim 19.

Claim 25 was rejected under 35 U.S.C. § 103 as being unpatentable over Griffin in view of Litchfield. Claim 25 depends from claim 19 and, therefore, is allowable for at least the same reasons as claim 19.

Applicant respectfully requests the reconsideration of this application and the timely allowance of the pending claims.

If a telephone conversation might advance prosecution of the application, the Examiner is invited to call Applicant's undersigned attorney at (202) 408-4197.

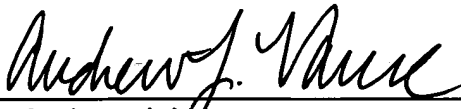
The Office Action contains characterizations of the invention, the claims, and the related art, with which Applicant does not necessarily agree. Applicant declines automatically to subscribe to any statement or characterization in the Office Action, regardless of whether it was addressed herein.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: July 6, 2004

By: 
Andrew J. Vance
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